

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**TAWANNA M. ROBERTS, on behalf of
herself and all others similarly situated,**

Plaintiff,

vs.

CAPITAL ONE, N.A.,

Defendant.

Case No.: 1:16-cv-04841-LGS

NOTICE OF APPEAL

Notice is hereby given that Plaintiff Tawanna M. Roberts, individually and on behalf of a proposed class of all others similarly situated, hereby appeals to the United States Court of Appeals for the Second Circuit from the Order entered in this action on May 4, 2017 (Dkt. No. 41), which granted the Motion to Dismiss filed by Defendants Capital One, N.A., and which entered judgment in favor of those defendants (Dkt. No. 42).

Dated: June 2, 2017

Respectfully submitted,

/s/ Jeffrey Kaliel

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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of June, 2017, the foregoing Notice of Appeal was filed via the Court's CM/ECF system, thereby causing a true and correct copy to be served upon all ECF-registered parties.

/s/ Jeffrey K. Kaliel

Jeffrey K. Kaliel